UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION

RUBY MANNING,)
LINDSEY MANNING, and)
ESTATE OF RICHARD A. MANNING,)
)
Plaintiffs,)
)
v.)
) No. 1:17-cv-04718-TWP-MPB
CMFG LIFE INSURANCE COMPANY)
d/b/a CUNA MUTUAL GROUP,)
)
Defendant.)

ENTRY ON JURISDICTION

It has come to the Court's attention that Plaintiffs' Complaint fails to allege all of the facts necessary to determine whether the Court has subject matter jurisdiction over this case. The Complaint alleges the Court has jurisdiction based upon diversity of citizenship. However, the Complaint fails to sufficiently allege the citizenship of the Defendant. Citizenship is the operative consideration for jurisdictional purposes. *See Meyerson v. Harrah's East Chicago Casino*, 299 F.3d 616, 617 (7th Cir. 2002) ("residence and citizenship are not synonyms and it is the latter that matters for purposes of the diversity jurisdiction").

The citizenship of a corporation is "both the state of incorporation and the state in which the corporation has its principal place of business." *Westfield Ins. Co. v. Kuhns*, 2011 U.S. Dist. LEXIS 138262, at *3 (S.D. Ind. Nov. 30, 2011). Thus, the Complaint must allege both the state of incorporation and the state of the party's principal place of business. *Illinois v. Kerr-McGee Chemical Corp.*, 677 F.2d 571, 578 n.13 (7th Cir. 1982).

The Plaintiffs initiated this lawsuit by filing their Complaint, which alleges that "Defendant CMFG Life Insurance Company d/b/a Cuna Mutual Group is a corporation with its principal place

of business in Wisconsin." (Filing No. 1 at 1.) This allegation is not sufficient to allow the Court

to determine whether diversity jurisdiction exists because it fails to allege the state of incorporation

of the Defendant.

Therefore, the Plaintiffs are **ORDERED** to file a Supplemental Jurisdictional Statement

that establishes the Court's jurisdiction over this case. This statement should specifically identify

the state of incorporation of the Defendant. This Supplemental Jurisdictional Statement is due

fourteen (14) days from the date of this Entry.

SO ORDERED.

Date: 12/27/2017

TANYA WALTON PRATT, JUDGE

United States District Court Southern District of Indiana

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